

**EXHIBIT 5**

FEB 6, 2016

Wachtell, Lipton, Rosen & Katz Fax 212.403.2000

Attn: Harold S. Novikoff and Ian Boczk

LEHMAN BROTHERS HOLDINGS INC., *et al.*

Chapter 11 Case No. 08-13555

JPM CHASE SETTLEMENT MATTER

GENTLEMEN:

As I sit here near the Canadian Border in the Snow I note that your opposing Counsel seems to have made a 'Faulty Assumption' that I had emailed the Court.

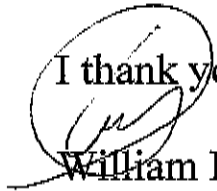
As I am not a party to the Case Management Order so to speak, I follow the terms of the Notice and the Federal Rules of Procedure, which in effect take a dim view of what might be considered 'ex-parte' communications.

I think that you will find my Correspondence to the Court arrived well before the 4pm cutoff and was docketed @ 51973. I attach a copy of the US Post Office Confirmation.

Accordingly I would ask that you share this with your counterparts to correct any misunderstanding that might otherwise arise. It would be far too easy to just sit back and file an appeal after Monday, assuming the Order is signed and confound the so called 'settlement'.

I trust this will have your prompt attention.

I thank you in advance,

  
William Kuntz, III India St PO Box 1801 Nantucket , Ma 02554-1801  
copies by US Mail

**lehman papers feb 2016-Tracking Number: 9505510548966030019257 -Updated  
Delivery Day: Tuesday, February 2, 2016 (2)**

Delivered, Front Desk/Reception NEW YORK, NY 10004 Your item was delivered to the front desk or reception area at 7:46 am on February 2, 2016 in NEW YORK, NY 10004.  
February 2, 2016 7:11 am Arrive

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Your item was delivered to the front desk or reception area at 7:46 am on February 2, 2016 in NEW YORK, NY 10004.

February 2, 2016 , 7:11 am	Arrived at Post Office	NEW YORK, NY 10004
February 2, 2016 , 1:35 am	Departed USPS Facility	EASTERN NASSAU, NY
February 2, 2016 , 1:32 am	Arrived at USPS Facility	EASTERN NASSAU, NY
January 31, 2016 , 6:57 pm	Arrived at USPS Facility	KEARNY, NJ 07032
January 30, 2016 , 12:10 pm	Departed Post Office	CHAZY, NY 12921
January 30, 2016 , 11:20 am	Acceptance	CHAZY, NY 12921